

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Cardiac Pacemakers, Inc. and Guidant Sales Corp.,

Civil No. 04-4048 (DWF/FLN)

Plaintiffs,

v.

ORDER

Aspen II Holding Co., LLC.,

Defendant.

Gerald Nolting, Craig Coleman, for Plaintiff
Larry Field, Tim Ravelli, Douglas Boettge, for Defendant

THIS MATTER came before the undersigned United States Magistrate Judge on September 30, 2005, on Defendant's Motion for Leave to Take Additional Depositions [#89].

Based on all the files, records and proceedings herein, **IT IS HEREBY ORDERED** that Defendant's Motion [#89] is **GRANTED in part** and **DENIED in part**. Based on the agreement of the parties that the depositions of ECRI and Antelope Valley Hospital & Medical Center will go forward, the Court rules that the following additional depositions may go forward if they are scheduled on or before October 14, 2005:

1. Elmhurst Memorial Healthcare
2. MRG Canada Deposition
3. Carilion Health System
4. Nancy Hanowski
5. Kevin Willman

In all other respects Defendant's Motion [#89] is **DENIED**.

DATED: October 12, 2005

s/ *Franklin L. Noel*
United States Magistrate Judge